

REMARKS

Applicants have received the Office Action dated September 24, 2007, in which the Examiner entered a restriction requirement as between claims of Group I (claims 1-6 and 14-20) and Group II (claims 7-13).

I. RESTRICTION REQUIREMENT

Applicants elect to prosecute the claims of Group I designated by the Examiner as claims 1-6 and 14-20. Applicants respectfully traverse this restriction requirement.

The Manual of Patent Examining Procedures (MPEP) states:

If the search and examination of an entire application can be made without serious burden, the examiner **must** examine it on the merits, even though it includes claims to independent or distinct inventions.

(MPEP, Section 803 (emphasis added)). Applicants respectfully submit that there will be little additional burden on the Examiner to examine the entire application. For example, system claim 16 (in Group I) requires:

a means for providing remote console to the computer system, wherein the means for providing switches to a default remote console session from a non-default remote console session¹ ...
wherein the default remote console session is a software-based remote console session and the non-default remote console session is a hardware-based remote console session.

(Claim 16). Similarly, system claim 7 (of Group II), specifically requires:

a system management processor coupled to the CPU and the memory;
...
wherein the system management processor switches to a software-based remote console session from the hardware-based remote console session.

(Claim 7). Thus, the Examiner, in examining the Group I claims, will need to search this and other aspects of the claimed invention of Group I. The search, by its very nature, overlaps with the search that may be required with respect to Group II.

¹ This limitation of claim 16 by virtue of the dependency from claim 14.

Based on the foregoing, Applicants respectfully submit that while there may be independent inventions, there will be no serious additional burden on the Examiner to examine the case in its entirety.

II. CONCLUSION

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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